

**GAO**

Fact Sheet for the Chairman,  
Subcommittee on Legislative Branch,  
Committee on Appropriations, U.S.  
Senate

April 1990

# PAY AND BENEFITS

## Contract Court Security Officers Compared to U.S. Deputy Marshals



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United States  
General Accounting Office  
Washington, D.C. 20548

General Government Division

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April 16, 1990

The Honorable Harry Reid  
Chairman, Subcommittee on  
Legislative Branch  
Committee on Appropriations  
United States Senate

Dear Mr. Chairman:

This fact sheet responds to your request that we compare the pay and benefits of court security officers--contract employees who provide routine court security services in federal court buildings--with the pay and benefits of U.S. Marshals Service deputy marshals, who could alternatively fill this role.

This letter summarizes the results of our work and is supplemented by appendix I, which contains further details.

BACKGROUND

The U.S. Marshals Service provides security for the federal judiciary using deputy marshals, who are federal employees, and court security officers, who are employed by contractors. By an agreement between the Administrative Office of the U.S. Courts and the Marshals Service, funds appropriated to the federal judiciary are transferred to the Marshals Service for security-related services and equipment, including the contracting for court security officers. In fiscal year 1989, the Marshals Service had a total of 17 contracts (awarded to six contractors) to provide court security officers in the 94 federal judicial districts. These contracts cost about \$34 million. While contractors pay the salary and benefit costs for court security officers, they are reimbursed by the government in accordance with contract terms that specify salary and benefit amounts.

Court security officers operate the security posts at building entrances to control access to buildings that house federal court facilities. Deputy marshals, on the other hand, provide security in courtrooms during criminal trials. Deputy marshals also have many other responsibilities, including apprehending federal fugitives, operating the witness security program, transporting federal prisoners, and carrying out court orders and arrest warrants.

RESULTS IN BRIEF

We found that the contract cost for court security officers' pay and benefits generally was lower than the cost of using deputy marshals. While entry-level deputy marshals were paid less than court security officers, the pay rate for deputy marshals after about 1-1/2 years of service generally exceeded the pay for court security officers.

Retirement and health benefits for court security officers also were generally less costly than those provided to deputy marshals. Basic life insurance was the only benefit we identified for which the contractor's cost exceeded that of the Marshals Service. In the five districts in which contractors provided life insurance for court security officers, the \$145 annual cost per employee was from two to three times more than the cost of life insurance provided to deputy marshals.

APPROACH

We compared the pay and benefits of contract court security officers in a random selection of 10 of the 94 federal judicial districts to the pay and benefits provided by the civil service pay system that covers deputy marshals. We obtained the contract cost for court security officers from contract files at the Marshals Service headquarters in Washington, D.C. Six of the 17 contracts and four of the six winning contractors were represented in the 10 selected districts. The benefits we reviewed were retirement, health insurance, and life insurance. We chose these benefits because they were the most significant. To estimate the pay and benefits of deputy marshals to provide these security services, we used the General Schedule pay rates for federal employees and information provided by the Marshals Service, such as grade levels, number of deputy marshals at each level, and special pay rates. The results apply only to the 10 selected federal judicial districts and cannot be projected to other districts. More detailed information on our objective, scope, and methodology is contained in appendix I.

We discussed the factual information presented in this fact sheet with Marshals Service officials, who agreed that the information we developed was accurate.

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As arranged with the Subcommittee, copies of this fact sheet are being sent to the Attorney General, the Administrative

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Office of the U.S. Courts, and other interested parties. We will also make copies available to others upon request.

The major contributors to this fact sheet are listed in appendix II. If you have any questions, please call me on 275-8676.

Sincerely yours,

A handwritten signature in black ink that reads "L. Nye Stevens". The signature is written in a cursive style with a large, prominent "L" and "S".

L. Nye Stevens  
Director, Government Business  
Operations Issues

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### ABBREVIATIONS

|       |   |
|-------|---|
| CSO   | Court Security Officer                    |
| CSRS  | Civil Service Retirement System           |
| FEGLI | Federal Employees Group Life Insurance    |
| FEHBP | Federal Employees Health Benefits Program |
| FERS  | Federal Employees Retirement System       |
| FICA  | Federal Insurance Contributions Act       |
| OPM   | Office of Personnel Management            |

COMPARISON OF PAY AND BENEFITS  
OF CONTRACT COURT SECURITY OFFICERS  
WITH U.S. DEPUTY MARSHALS

OBJECTIVE, SCOPE, AND METHODOLOGY

Our objective was to compare the costs of pay and benefits of contract employee court security officers with those of deputy marshals. To do this, we obtained the contract cost for court security officers from the contract files for 10 of the 94 federal judicial districts. We estimated the pay and benefits of deputy marshals using information provided by the Marshals Service and federal pay rates contained in the 1989 General Schedule for federal employees. The benefits we reviewed were retirement, health insurance, and life insurance. These elements (pay and selected benefits) make up about 80 percent of the total contract cost for court security officers. The remainder covers general and administrative expenses and profit.

We randomly selected the following 10 of the 94 federal judicial districts for review: Arizona, central California, southern California, northern Illinois, eastern Louisiana, middle Louisiana, Maryland, Nevada, eastern New York, and Puerto Rico. The results apply only to these 10 federal judicial districts and cannot be projected to other districts.

We did not verify the contract pay rates with the payroll records of the contractors because of time and resource constraints.

COURT SECURITY OFFICERS

In fiscal year 1989, the Marshals Service contracted for 1,139 court security officers nationwide to provide security at federal courthouses. In order to qualify for these positions, applicants must be graduates of certified law enforcement training programs. They must also have had at least 3 years of law enforcement experience. According to Marshals Service officials, these specific qualification requirements assure the Service of getting highly qualified, highly skilled, experienced security officers to handle the security needs of the federal judiciary. Court security officers work in federal courthouses and federal buildings that have federal court facilities. Their primary role is to operate security posts at building entrances. By serving as a "first line of defense," they provide a daily deterrent and reactive force against unauthorized, illegal, or potentially life threatening actions against judges, jurors, witnesses, defendants, other court personnel, or property.

The pay and benefits of court security officers vary among contractors and judicial districts. The Marshals Service awarded 17 contracts to six contractors that covered the 94 judicial districts for fiscal year 1989. Contracts are segmented by district and the Marshals Service pays the contractor the same hourly rate for all court security officers in a district. Table I.1 shows the number of court security officers in the 10 districts in our sample.

Table I.1:  
Number of Court Security Officers by District

| <u>District</u>      | <u>Number of<br/>court security<br/>officers</u> |
|----------------------|--|
| Arizona              | 19   |
| California, central  | 37   |
| California, southern | 15   |
| Illinois, northern   | 15   |
| Louisiana, eastern   | 14   |
| Louisiana, middle    | 3  |
| Maryland             | 19   |
| Nevada               | 17   |
| New York, eastern    | 30   |
| Puerto Rico          | <u>18</u>  |
| Total                | 187  |

#### U.S. DEPUTY MARSHALS

Deputy marshals are career civil servants and are paid under the General Schedule for federal employees. New deputy marshals are hired at the GS-5 or GS-7 level, in accordance with standard Office of Personnel Management (OPM) qualification requirements. These requirements are

- for GS-5, a college degree, 3 years of general experience, or a combination of education and experience.
- for GS-7, a college degree plus successful completion of law or graduate education in a field related to law enforcement, or 3 years of general experience plus 1 year of specialized experience.

## APPENDIX I

## APPENDIX I

The Marshals Service has an OPM-approved agreement that authorizes accelerated promotions of GS-5 deputy marshals to GS-7 after 6 months service. Because of this, GS-5 deputy marshals can reach the full performance level of GS-11 after about 2-1/2 years of service. As of November 5, 1989, there were 1,256 deputy marshals at GS-5 through GS-11 grades as follows:

| <u>Grade level</u> | <u>Number of deputy marshals</u> | <u>Percentage at each level</u> |
|--------------------|----------------------------------|---------------------------------|
| GS-11              | 903                              | 71.9                            |
| GS-9               | 135                              | 10.7                            |
| GS-7               | 158                              | 12.6                            |
| GS-5               | <u>60</u>                        | <u>4.8</u>                      |
| Total              | 1,256                            | 100.0                           |

PAY

In 9 of the 10 federal judicial districts in our sample, GS-5 and GS-7 deputy marshals' pay was less than contract court security officers' pay. According to the General Schedule, the 1989 annual salary for a GS-5 step 1 was \$15,738; for a GS-7 step 1, \$19,493; for a GS-9 step 1, \$23,846; and for a GS-11 step 1, \$28,852. (We used step 1 for GS-5, GS-7, and GS-9 pay because, according to a Marshals Service personnel official, deputy marshals in these grades generally are promoted before or soon after they receive a step increase. For consistency, we also used step 1 for GS-11 pay.)

The 1989 annual pay for a court security officer in the 10 districts ranged from \$11,192 to \$26,134 and averaged \$20,649. Table I.2 shows the annual pay of court security officers for each district.

Table I.2:  
Annual Pay of Contract Court Security Officers by District

| <u>District</u>      | <u>Annual pay</u> |
|----------------------|-------------------|
| Arizona              | \$20,845          |
| California, central  | 23,936            |
| California, southern | 22,195            |
| Illinois, northern   | 19,600            |
| Louisiana, eastern   | 20,712            |
| Louisiana, middle    | 19,780            |
| Maryland             | 20,900            |
| Nevada               | 21,216            |
| New York, eastern    | 26,134            |
| Puerto Rico          | 11,192            |

We found that GS-5 deputy marshals' pay generally was 60 to 80 percent of court security officers' pay, and GS-7s' pay generally was 75 to 99.5 percent of court security officers' pay in 9 of the 10 districts in our sample. In the only district where entry-level deputy marshals' pay exceeded court security officers' pay (Puerto Rico), we found that GS-5s' and GS-7s' pay was 141 and 174 percent of court security officers' pay, respectively. Table I.3 shows a detailed pay comparison by district.

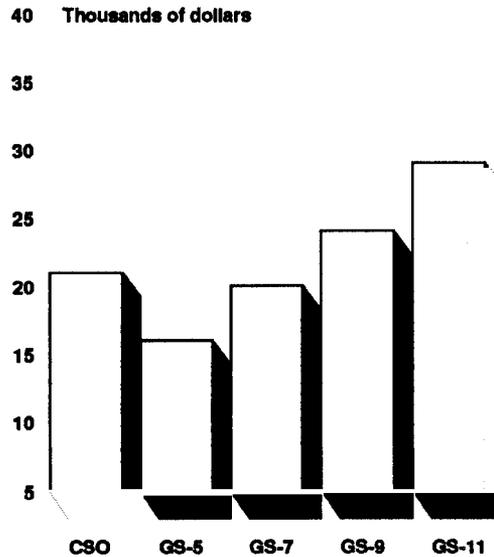
Table I.3:  
Deputy Marshals' Pay by Grade Levels Shown As a  
Percentage of Court Security Officers' Pay by District

| <u>U.S. Deputy Marshals</u> |             |             |             |              |
|-----------------------------|-------------|-------------|-------------|--------------|
| <u>District</u>             | <u>GS-5</u> | <u>GS-7</u> | <u>GS-9</u> | <u>GS-11</u> |
| Arizona                     | 75.5        | 93.5        | 114.3       | 138.4        |
| California, central         | 65.7        | 81.4        | 99.6        | 120.5        |
| Los Angeles <sup>a</sup>    | 76.7        | 89.5        | 106.2       |              |
| California, southern        | 70.9        | 87.8        | 107.4       | 129.9        |
| Illinois, northern          | 80.3        | 99.5        | 121.7       | 147.3        |
| Louisiana, eastern          | 75.9        | 94.1        | 115.1       | 139.3        |
| Louisiana, middle           | 79.5        | 98.5        | 120.5       | 145.9        |
| Maryland                    | 75.3        | 93.2        | 114.1       | 138.0        |
| Nevada                      | 74.1        | 91.8        | 112.3       | 135.9        |
| New York, eastern           | 60.2        | 74.5        | 91.2        | 110.4        |
| Brooklyn <sup>a</sup>       | 70.2        | 82.0        | 97.3        |              |
| Puerto Rico                 | 140.6       | 174.1       | 213.1       | 257.8        |

<sup>a</sup>For these two high-cost geographic locations (Los Angeles in the central California district and Brooklyn in the eastern New York district), a special salary rate authorized by OPM covered deputy marshals at grades GS-5, GS-7, and GS-9. Deputy marshals at other locations in these two districts do not receive a special salary rate.

The pay of newly hired deputy marshals was generally less than that of court security officers. However, with the Marshals Service's training and promotion program, GS-5 deputy marshals can become GS-9's after about 1-1/2 years of service. At the GS-9 level, the pay of deputy marshals exceeded that of court security officers in 8 of the 10 districts and in part of one other district--the high-cost area of Los Angeles. In addition, the full performance level for deputy marshals, which can be attained in 2-1/2 years, is GS-11. Of the total deputy marshals at grades GS-5 through GS-11, about 72 percent (903 of 1,256) were GS-11's, who are paid several thousand dollars per year more than court security officers. (See fig. I.1.)

Figure I.1: Deputy Marshals' Salary by Grade Level and Average Court Security Officers' (CSO) Salary in 10 Districts



Note: Almost 72 percent of deputy marshals in these grades were GS-11.

### BENEFITS

In all 10 districts, the costs of retirement and health benefits for deputy marshals were generally higher than the costs of those provided to court security officers. In the five districts in which contractors provided life insurance for court security officers, the Marshals Service's cost for basic life insurance per deputy marshal was less than contractors' cost for life insurance per court security officer. However, the higher cost for life insurance is not sufficient to offset the higher cost of other benefits provided to deputy marshals.

#### Retirement

Marshals Service employees hired before January 1984 are covered by the standard governmentwide retirement system--Civil Service Retirement System (CSRS). The Federal Employees Retirement System (FERS) covers employees hired since January 1984 and those who voluntarily converted to FERS.

The 1989 Marshals Service contribution toward retirement for deputy marshals under CSRS was 8.95 percent of salary--7.5

percent of pay for CSRS plus 1.45 percent for medicare.<sup>1</sup> The 1989 contribution for deputy marshals under FERS varied from a minimum contribution of 33.77 percent to a maximum contribution of 37.77 percent. The minimum contribution was 7.51 percent for Social Security (FICA), 25.26 percent to the Civil Service Retirement and Disability Fund, plus an automatic contribution of 1 percent of an employee's pay to the Thrift Fund. In addition, the federal employer matches dollar-for-dollar an employee's contributions to the Thrift Fund for the first 3 percent of pay, and \$.50 on the dollar for the next 2 percent of employee contributions. The federal employer's contribution to the Thrift Fund is limited to a maximum of 5 percent of an employee's pay.

Contract court security officers are covered by FICA. The contractors' 1989 contribution for FICA (including medicare) was 7.51 percent of employees pay, which is less than the percentages the Marshals Service contributed toward the retirement of deputy marshals.

#### Health Insurance

The Marshals Service generally contributed more toward employees' health insurance premiums than did contractors for health insurance in all 10 districts that we reviewed. (See table I.4.) Under the standard governmentwide Federal Employees Health Benefits Program (FEHBP), a federal employer, by law, pays 60 percent of the average high-option premium of six of the largest health plans but not more than 75 percent of the premiums of any individual plan.

Health care premiums paid by contractors generally corresponded closely to the government's premiums for individual plans. Under the contracts, there is no provision for higher payments for family health care plans. This results in more costly health benefits for deputy marshals who select family plans.

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<sup>1</sup>The Marshals Service contribution is substantially less than the full cost to the government of CSRS benefits. Under FERS, full cost is charged to each agency.

Table I.4:  
Employers' Annual Contribution to Health Insurance

| <u>Judicial district</u> | <u>Maximum premium payment by Marshals Service<sup>a</sup></u> | <u>Premiums paid under contract</u> |
|--------------------------|--|-------------------------------------|
| Arizona                  | \$1,181/2,586  | \$1,180                             |
| California, central      | 1,181/2,586  | 1,180                               |
| California, southern     | 1,181/2,586  | 1,180                               |
| Illinois, northern       | 1,181/2,586  | 1,180                               |
| Louisiana, eastern       | 1,181/2,586  | 1,184                               |
| Louisiana, middle        | 1,181/2,586  | 1,199                               |
| Maryland                 | 1,181/2,586  | 1,180                               |
| Nevada                   | 1,181/2,586  | 1,180                               |
| New York, eastern        | 1,181/2,586  | 1,180                               |
| Puerto Rico              | 1,181/2,586  | 1,227                               |

<sup>a</sup>The first figure represents the employer's contribution for individual plans; the second represents the contribution for family plans.

#### Life Insurance

The Marshals Service provides life insurance to its employees under the governmentwide Federal Employees Group Life Insurance (FEGLI) program. Under this program, the federal employer pays one-third of the cost of basic life insurance.

Table I.5:  
Federal Employers' Annual Cost for Employees' Basic Life Insurance

| <u>Grade Level</u> | <u>Federal Employers' Annual Cost</u> |
|--------------------|---------------------------------------|
| GS-5               | \$43.29                               |
| GS-7               | 52.91                                 |
| GS-9               | 62.52                                 |
| GS-11              | 74.55                                 |

In five of the districts in our sample, contractors provided life insurance; in the other five districts, contractors did not provide life insurance. When life insurance was provided, the

\$145 annual cost per court security officer was more than the Marshals Service's cost for life insurance provided to deputy marshals, which ranged from \$43 to \$75 annually. However, because life insurance is not provided to court security officers in all districts and because of the relatively small additional annual cost, the difference is not enough to offset the more costly other benefits provided to deputy marshals.

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